



SuperLatina Productions

andy@superlatina.tv

Received & Inspected

JUL 06 2012

FCC Mail Room Phone: (214) 431-5783

SWORN AFFIDAVIT

PETITIONERS: Andres O. Suarez and Gabriela Natale, SOLE owners of SuperLatina Inc.

Case Identifier: **CGB-CC-0950**

TO: Federal Communications Commission
FROM: Andres O. Suarez and Gabriela Natale

Under oath we attest that all of the information contained in this Petition from Closed Captioning Exemption are truthful in its entirety.

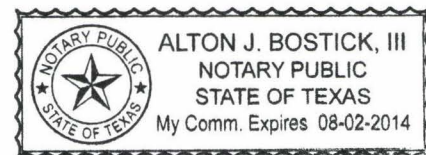
Regards,

Andres O. Suarez
Gabriela Natale

State of Texas
County of Tarrant

The foregoing instrument was acknowledged before me this 5th day of July, 2012
by Andres O. Suarez and Gabriela Natale

Notary Public



www.SuperLatina.tv



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FCC CLOSED CAPTIONING EXEMPTION PETITION

CASE IDENTIFIER: CGB-CC-0950

PETITIONERS: ANDRES OSCAR SUAREZ
GABRIELA NATALE

UPDATED INFORMATION



SuperLatina Productions

Phone: (214) 431-5783

andy@superlatina.tv

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Case Identifier: CGB-CC-0950

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET, S.W.
WASHINGTON, D.C. 20554
(202) 418-0270
www.fcc.gov

July 01, 2012

UPDATED REQUEST FOR EXEMPTION FROM CLOSED CAPTIONING RULES

Andres Oscar Suarez and Gabriela Natale (Petitioners), producers of the program SuperLatina, request that their petition for exemption from the closed captioning requirements be granted by the FCC pursuant to Section 79.1 of the Commission's rules, 47 C.F.R. Sec. 79.1.

SuperLatina now airs on KZAD Azteca 55, Dallas-Fort Worth, which is a TV station with under 3 million US dollars in yearly revenue and therefore exempt from the closed captioning requirement.

Nevertheless -and in case KAZD might increase its yearly revenue over the 3-million threshold in the future- Petitioners continue to claim that compliance with the FCC's closed captioning requirement would impose an undue burden, as defined in Section 79.1(f) of the Commission's rules, 47 C.F.R. Sec. 79.1(f).

KAZD executives have verbally expressed that they will not provide any kind of financial support for SuperLatina's closed captioning. Furthermore, due to the deteriorating economic conditions now affecting the industry, it has now become even more burdensome for Petitioners to comply with the closed captioning rules. (See Exhibit A - First Six Months of 2012's Financial Statements of SuperLatina Inc.)

All aspects of the original petition are correct, including the cost of captioning the show (See Exhibit B).

Petitioners implore the FCC to grant SuperLatina with an exemption from Closed Captioning requirements. Failure to obtain such an exemption would probably force Petitioners to cease operations.

Subject: SuperLatina Talk Show, produced by SuperLatina Productions

A Spanish-language, 30-minute, weekly talk-show dedicated to empowering Latinos and Latinas in the United States of America.

Video Program Producers and Owners: Andres Suarez and Gabriela Natale

SuperLatina Productions
4148 Norway Lane
Grand Prairie, TX 75052
W: (214) 431-5783
C: (214) 906-0247
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FCC CLOSED CAPTIONING EXEMPTION PETITION

CASE IDENTIFIER: CGB-CC-0950

PETITIONERS: ANDRES OSCAR SUAREZ
GABRIELA NATALE

ORIGINAL
PETITION



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SuperLatina Productions

Phone: (214) 431-5783

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ORIGINAL PETITION

December 23, 2009
FCC Commission's Secretary
Office of the Secretary
Federal Communications Commission
Attn: CGB Room 3-B431
445 12th Street SW
Washington, D.C. 20554
Re: Closed Captioning Requirement

Dear Federal Communications Commission,

This letter is in response to the F.C.C.'s Closed Captioning requirement effective January 1, 2010. Please accept this letter as a petition for exemption on the basis on undue burden.

Gabriela Natale and Andres Oscar Suarez, SuperLatina Productions' producers and owners, petition for Full Exemption from the Closed Captioning Requirement, stating:

1. That Petitioners are the owners and producers of SuperLatina, an empowerment talk-show based in Grand Prairie, TX.
2. That it would be necessary to send the program to an outside source for captioning. This would impact meeting airtdate deadlines and the added production cost would make production unaffordable.
3. That SuperLatina Productions is a production company and its owners consist of Andres Oscar Suarez and Gabriela Natale, husband and wife. There are no other employees with the company.
4. That SuperLatina is broadcast on a weekly basis, throughout the year, in KXTX Telemundo Dallas, Channel 39.
5. That SuperLatina Productions produces one SuperLatina show per week, throughout the year, and each show is thirty minutes in duration.
6. That for the Petitioners to provide for closed captioning would constitute an undue burden upon SuperLatina Productions. Andres Oscar Suarez and Gabriela Natale, the producers and owners of the show, as petitioners, state that:
 - a. they do not possess the financial means to absorb the cost of closed captioning, and if this exemption is not granted, the Petitioners would cease production of SuperLatina because of cost and budget restraints; (see Exhibit A, most recent tax return showing total income for the year of 2011)
 - b. to obtain the closed captioning service will cost a minimum of approximately \$200 to \$350 per show, or \$10,400 to \$18,200 per year. (See Exhibit B)

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- c. KXTX Telemundo Dallas will not provide assistance of any kind to help SuperLatina Productions comply with closed captioning requirements (See Exhibit C)
- d. they would be unable to produce and market SuperLatina if they are required to provide for closed captioning;
- e. they do not have the technical capabilities to provide for closed captioning;

We respectfully submit this request, hoping and praying that the FCC will understand our situation and grant SuperLatina Productions an exemption from the closed captioning requirements.

Sincerely,

Andres O. Suarez
Gabriela Natale
SUPERLATINA PRODUCTIONS

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Ad

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SuperLatina Productions

Phone: (214) 431-5783

andy@superlatina.tv

Exhibit A

**First Six Months of 2012's Financial Statement for
SuperLatina Inc.**

Andres Oscar Suarez and Gabriela Natale

www.SuperLatina.tv



10:35 AM
07/05/12
Accrual Basis

Superlatina Inc.
Profit & Loss
January through June 2012

AOL GN

	Jan - Jun 12
Ordinary Income/Expense	
Income	
47900 · Sales	
47910 · Odessa	29,550.00
47950 · Production Jobs	39,490.00
Total 47900 · Sales	69,040.00
Total Income	69,040.00
Gross Profit	69,040.00
Expense	
60000 · Advertising and Promotion	
60120 · Online Ads	17.93
60140 · Outdoor Advertising	1,000.00
60170 · Contests	700.00
Total 60000 · Advertising and Promotion	1,717.93
60200 · Automobile Expense	
60210 · Gasoline	1,912.56
Total 60200 · Automobile Expense	1,912.56
60400 · Bank Service Charges	
60410 · Checking & Credit Card Fees	16.12
Total 60400 · Bank Service Charges	16.12
60500 · Tax Expense	
60515 · TX - Use Tax Paid	241.79
Total 60500 · Tax Expense	241.79
61400 · Charitable Contributions	350.00
61700 · Computer and Internet Expenses	
61730 · OnlineServices	1,626.80
61750 · Hardware Miscellaneous	701.26
61780 · Web Hosting and Registration	140.88
Total 61700 · Computer and Internet Expenses	2,468.94
61800 · Software	
61810 · Miscellaneous Software	894.85
Total 61800 · Software	894.85
61900 · Books & Print Publications	19.00
62600 · Equipment Rental	
62610 · Truck and Moving Rentals	43.33
Total 62600 · Equipment Rental	43.33
63400 · Interest Expense	
63410 · Long-Term Loan Interest	835.98
Total 63400 · Interest Expense	835.98
64300 · Meals and Entertainment	
64310 · BusinessMeals	1,677.49
Total 64300 · Meals and Entertainment	1,677.49
64700 · Miscellaneous Expense	
64750 · Clients Discount	10,692.00
Total 64700 · Miscellaneous Expense	10,692.00
64900 · Office Supplies	
64910 · Toner&Ink	365.86
64920 · OfficeMiscellaneous	200.99
64950 · Stationery	242.63
Total 64900 · Office Supplies	809.48
66000 · Payroll Expenses	21,741.37

10:35 AM
07/05/12
Accrual Basis

Superlatina Inc.
Profit & Loss
January through June 2012

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	Jan - Jun 12
66500 · Postage and Delivery	
66510 · Postage	36.20
66520 · Shipping	252.85
Total 66500 · Postage and Delivery	289.05
66600 · Printing and Reproduction	
66610 · Signage and Custom Prints	491.82
Total 66600 · Printing and Reproduction	491.82
66700 · Professional Fees	
66715 · Live Shooting Services	1,535.00
66716 · Production Services	7,123.50
Total 66700 · Professional Fees	8,658.50
67200 · Repairs and Maintenance	
67210 · CarMaintenance	187.96
67230 · CarRepairs	483.35
Total 67200 · Repairs and Maintenance	671.31
67500 · Construction	
67510 · Staging	423.53
Total 67500 · Construction	423.53
68100 · Telephone Expense	
68101 · Landline	199.11
68150 · Cellular	1,308.39
Total 68100 · Telephone Expense	1,507.50
68400 · Travel Expense	
68425 · Hotel	2,494.32
68450 · Airfare	987.16
68465 · CarRental	416.28
68490 · OtherTravelExpenses	149.90
68495 · AirportExpenses	25.00
Total 68400 · Travel Expense	4,072.66
68800 · Personal & Talent Expenses	
68820 · Makeup	178.74
68850 · BeautySalon	238.22
68860 · Clothing	538.61
68890 · Dry Cleaners & Clothing Repair	42.38
Total 68800 · Personal & Talent Expenses	997.95
69000 · Production Expenses	
69100 · Media	85.90
69110 · Cables	21.35
69120 · Portable Storage	108.24
69130 · Lighting Supplies	48.60
69150 · Misc. Production Expenses	2,262.46
Total 69000 · Production Expenses	2,526.55
Total Expense	63,059.71
Net Ordinary Income	5,980.29

10:35 AM
07/05/12
Accrual Basis

Superlatina Inc.
Profit & Loss
January through June 2012

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	Jan - Jun 12
Other Income/Expense	
Other Income	
47600 · Interest Income	
47610 · Interest from Savings Account	0.31
47600 · Interest Income - Other	0.67
Total 47600 · Interest Income	0.98
Total Other Income	0.98
Net Other Income	0.98
Net Income	5,981.27



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Exhibit B
Closed Captioning Quotes

Quote #1

E-MAIL Quote from CCS Closed Captioning Services, Inc.

----- Original Message -----

From: [Deborah Schuster](#)

To: ['Andres Suarez'](#)

Sent: Tuesday, November 10, 2009 5:15 PM

Subject: RE: Estimate

Caption file only in .cap format would be \$350. If we encode a DVD, that would be an additional \$90 per episode, for a total of \$440 per episode.

Deborah

Deborah Schuster
Chief Marketing Officer
Closed Captioning Services, Inc.
4450 Lakeside Drive
Suite 350
Burbank, CA 91505
818-848-8826
818-848-2023 fax

Quote #2

E-MAIL Quote from CaptionMax

SuperLatina Productions

CaptionMax bid

TRT 32:00 x 52 shows (1 per week)

Source Language: Spanish

Spanish roll-up caption prep: **\$200/episode**

Spanish pop-on caption prep: **\$275/episode**

Thanks!

Lindsay Beiriger

Director of Business Development

direct: 818.295.6364

main: 818.295.2500

captionmax



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SuperLatina Productions

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Exhibit C

KXTX Partner Station's Refusal

To Provide SuperLatina with Closed Captioning Assistance

----- Original Message -----

From: [Roscher, Chad \(NBC Universal\)](#)

To: [Andres Suarez](#)

Cc: [Abud, Manuel \(NBC Universal, TLMD\)](#)

Sent: Monday, December 28, 2009 2:00 PM

Subject: RE: Filing

Andres -

Unfortunately KXTX is unable to provide SuperLatina with any type of free-of-charge captioning service. We have requested that all local program providers begin submitting programming with closed captioning by January 1, 2010.

We are happy to assist SuperLatina in finding a captioning provider, however please note that this will come with a per-episode cost.

Thanks, and please let me know if you have any questions.

Chad Roscher

Manager, Research and Sales Strategy

KXTX Telemundo 39

NBC Universal

3100 McKinnon, 8th Floor

Dallas, TX 75201

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Cell: (817) 201-7018

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